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LEDY-GURREN BASS & SIFF, L.L.P.

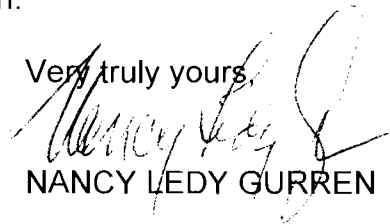
Hon. Richard M. Berman  
United States District Court  
February 8, 2008  
Page 2

**Re: *Drayton v. Toys "R" US, et. al.***  
**1:07-cv-06315-RMB-JCF**

On February 7, 2008, we e-mailed plaintiffs' counsel during the mid-day hours, requesting that they serve the amended complaint during business hours. Mr. Roy responded, indicating that the amended complaint would be served by the deadline. At the close of business on February 7, I sent a letter (by e-mail and regular mail), again requesting the amended pleading, and informing counsel that we would like to give the matter substantive thought before advising Your Honor as to the dimensions of a proposed motion to dismiss. A copy of that letter is annexed. My notes from the conference indicate that we were constrained to communicate to the Court by today of our intentions vis-a-vis the amended complaint.

We thank the Court for its consideration.

Very truly yours,



NANCY LEDY GURREN

NLG: smr

cc: Ron Cherry, Esq. (Cherry & Jenifer)  
Emmanuel Roy, Esq. (Roy & Associates)  
K.C. Okoli, Esq.  
Thomas Catalano, Esq. (Lester, Schwab)  
(With attachments via Federal Express)

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February 7, 2008

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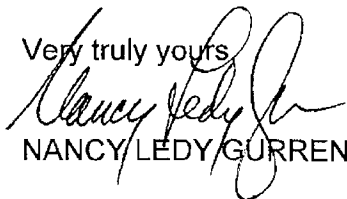
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Dear Messrs. Roy and Okoli:

As a follow-up to my e-mail of this morning, I wish to note that it is now after 5:00 p.m., and we have yet to receive a copy of the Amended Complaint that is to be served today. I am somewhat disappointed in the late service, as we are required to review your Amended Complaint, and draft a letter of intention to Judge Berman regarding any motion to dismiss by tomorrow; clearly, you have left the defendants precious little time to make a thoughtful determination on that score. The same sequence occurred with respect to last Friday's information, which was e-mailed to me quite late in the evening, well past the close of business.

I would be most appreciative if you would promptly correct this situation.

Very truly yours,



NANCY LEDY GURREN

cc: Lester Schwab Katz & Dwyer